

Liza M. Walsh
Katelyn O'Reilly
William T. Walsh, Jr.
WALSH PIZZI O'REILLY FALANGA LLP
Three Gateway Center
100 Mulberry Street, 15th Floor
Newark, NJ 07102
(973) 757-1100

Attorneys for Plaintiffs
Teva Branded Pharmaceutical Products
R&D, Inc. and Norton (Waterford) Ltd.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

TEVA BRANDED PHARMACEUTICAL
PRODUCTS R&D, INC., and NORTON
(WATERFORD) LTD.,

Plaintiffs,

v.

CIPLA LTD., AUROBINDO PHARMA LTD.,
AUROBINDO PHARMA USA, INC., and
AUROLIFE PHARMA LLC,

Defendants.

Civil Action No. 20-10172
(JXN)(MAH) (Consolidated)

**DECLARATION OF
LIZA M. WALSH**

Filed Electronically

I, Liza M. Walsh, hereby declare and state:

1. I am an attorney-at-law admitted to practice before this Court and a partner at Walsh Pizzi O'Reilly Falanga LLP, counsel for Plaintiffs Teva Branded Pharmaceutical Products R&D, Inc. and Norton (Waterford) Ltd. (collectively, "Plaintiffs") in the above-captioned action.
2. I submit this Declaration in support of Plaintiffs' Opening Claim Construction Brief.
3. Attached hereto as Exhibit 1 is a true and correct copy of U.S. Patent No. 9,463,289.

4. Attached hereto as Exhibit 2 is a true and correct copy of U.S. Patent No. 9,808,587.

5. Attached hereto as Exhibit 3 is a true and correct copy of U.S. Patent No. 10,086,156.

6. Attached hereto as Exhibit 4 is a true and correct copy of U.S. Patent No. 10,561,808.

7. Attached hereto as Exhibit 5 is a true and correct copy of U.S. Patent No. 10,695,512.

8. Attached hereto as Exhibit 6 is a true and correct copy of FDA's 2003 Guidance for Industry: the Integration of Dose-Counting Mechanisms into MDI Drug Products, *available at* <https://www.fda.gov/media/71073/download>.

9. Attached hereto as Exhibit 7 is a true and correct copy of an excerpt of the New Oxford American Dictionary (3rd ed. 2010).

10. Attached hereto as Exhibit 8 is a true and correct copy of an excerpt of the Dictionary of Mechanical Engineering (4th ed. 1996).

11. Attached hereto as Exhibit 9 is a true and correct copy of an excerpt of the prosecution history of U.S. Patent No. 9,463,289.

12. Attached hereto as Exhibit 10 is a true and correct copy of an excerpt of Merriam-Webster's Collegiate Dictionary (11th ed. 2003).

13. Attached hereto as Exhibit 11 is a true and correct copy of Defendants' May 21, 2021 Preliminary Claim Construction and Supporting Evidence.

14. Attached hereto as Exhibit 12 is a true and correct copy of an excerpt of the Dictionary of Mechanical Engineering (4th ed. 1996).

15. Attached hereto as Exhibit 13 is a true and correct copy of an excerpt of New Oxford American Dictionary (3rd ed. 2010).

16. Attached hereto as Exhibit 14 is a true and correct copy of an excerpt of Random House Webster's College Dictionary (1998).

17. Attached hereto as Exhibit 15 is a true and correct copy of an excerpt of Webster's Third New International Dictionary of the English Language Unabridged (2002).

18. Attached hereto as Exhibit 16 is a true and correct copy of an excerpt of Webster's New World College Dictionary (4th ed. 1999).

19. Attached hereto as Exhibit 17 is a true and correct copy of U.S. Patent No. 6,640,805.

20. Attached hereto as Exhibit 18 is a true and correct copy of an excerpt of Cipla Ltd.'s March 1, 2021 Invalidity Contentions.

21. Attached hereto as Exhibit 19 is a true and correct copy of an excerpt of Merriam-Webster's Collegiate Dictionary (11th ed. 2003).

22. Attached hereto as Exhibit 20 is a true and correct copy of an excerpt of Merriam-Webster's Dictionary (2005).

23. Attached hereto as Exhibit 21 is a true and correct copy of an excerpt of Webster's New World College Dictionary (4th ed. 2005).

24. Attached hereto as Exhibit 22 is a true and correct copy of an excerpt of New Oxford American Dictionary (3rd ed. 2012).

25. Attached hereto as Exhibit 23 is a true and correct copy of Webster's Third New International Dictionary of the English Language Unabridged (2002).

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me is willfully false, I am subject to punishment.

Dated: August 6, 2021

s/Liza M. Walsh

Liza M. Walsh